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IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 494/2007

MADAN LAL & ANR. Vs. STATE OF RAJASTHAN

Date of order: 23.05.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. S.S. Sunda for the accused-petitioners.
Mr. B.K. Sharma, Public Prosecutor for the State.

The present criminal revision petition under Section 397 r/w Section 401 Cr.P.C. is preferred by the accused-petitioners against the order dated 18.04.2007 passed by the Civil Judge (Junior Division) & Judicial Magistrate, First Class, Todabheem, District Karauli in Criminal Case No. 105/2007, whereby the Court below took cognizance against the accused-petitioners for the offences under Sections 498-A and 406 IPC.

Learned counsel for the accused-petitioners placed reliance on the judgment rendered by this Court in **S.B. Criminal Revision Petition No. 118/2007, dated 26.03.2007.**

Having heard rival submissions of the respective parties and after going through the impugned order dated 18.04.2007 as also the judgment referred by

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the learned counsel for the petitioners, I deem it proper to quash and set-aside the impugned order dated 18.04.2007 passed by the Civil Judge (Junior Division) & Judicial Magistrate, First Class, Todabheem, District Karauli.

Consequently, the impugned order dated 18.04.2007 is hereby quashed and set-aside and the matter is remanded back to the Court below for fresh adjudication after giving opportunity of being heard to the parties and in the terms of the judgment rendered by this Court in the aforementioned revision petition bearing No. 118/2007 and shall pass fresh appropriate order.

With these observations, the revision petition stands disposed of.

(K.S. RATHORE), J.

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